

Serial No. 09/466,046

Docket No. 1232-4605**Listing Of Claims**

The following listing of claims will replace all prior versions and listings of claims in this application. Please amend claims 41-48 and add new claims 49-68 as follows:

1-40 (cancelled)

41. (Currently Amended) An image capture apparatus comprising:

an image capture unit adapted to capture an image using an image pickup element;

a switch adapted to instruct the image capture apparatus to start to capture ~~the image to be recorded on a recording process of recording a captured image in~~ a recording unit; and

a control unit adapted to control the recording process of ~~recording an image captured after the switch is operated,~~

~~wherein the control unit controls the recording process~~ using a first exposure value indicating an exposure of an image captured before the switch is operated and a second exposure value indicating an exposure of an image captured after the switch is operated.

42. (Currently Amended) An image capture apparatus according to claim 41, wherein ~~the control unit determines whether to notify a user with a warning the~~ image capture apparatus is capable of determining whether to issue a warning to a user or not according to a difference between using the first exposure value and the second exposure value.

Serial No. 09/466,046

Docket No. 1232-4605

43. (Currently Amended) An image capture apparatus according to claim 41,  
wherein the control unit also controls the recording process using a ~~third~~ first  
white balance value indicating a white balance of an image captured before the  
switch is operated and a ~~fourth~~ second white balance value indicating a white  
balance of an image captured after the switch is operated.
44. (Currently Amended) An image capture apparatus according to claim 43,  
wherein ~~the control unit determines whether to notify a user with a warning the~~  
image capture apparatus is capable of determining whether to issue a warning to a  
user or not according to a difference between the ~~third~~ first white balance value  
and the ~~fourth~~ second white balance value.
45. (Currently Amended) An image capture apparatus comprising:  
an image capture unit adapted to capture an image using an image pickup  
element;  
a switch adapted to instruct the image capture apparatus to start ~~to capture~~  
~~the image to be recorded on~~ a recording process of recording a captured image in  
a recording unit; and  
a control unit adapted to control ~~[[a]] the recording process of recording an~~  
~~image captured after the switch is operated,~~  
~~wherein the control unit controls the recording process using a first~~ white  
balance value indicating a white balance of an image captured before the switch is  
operated and a second white balance value indicating a white balance of an image  
captured after the switch is operated.

Serial No. 09/466,046

Docket No. 1232-4605

46. (Currently Amended) An image capture apparatus according to claim 45, wherein ~~the control unit determines whether to notify a user with a warning~~ the image capture apparatus is capable of determining whether to issue a warning to a user or not according to a difference between using the first white balance value and the second white balance value.
47. (Currently Amended) An image capture apparatus according to claim 45, wherein the control unit also controls the recording process using a ~~third~~ first exposure value indicating an exposure of an image captured before the switch is operated and a ~~fourth~~ second exposure value indicating an exposure of an image captured after the switch is operated.
48. (Currently Amended) An image capture apparatus according to claim 47, wherein ~~the control unit determines whether to notify a user with a warning~~ the image capture apparatus is capable of determining whether to issue a warning to a user or not according to a difference between using the third first exposure value and the ~~fourth~~ second exposure value.
49. (new) An image capture apparatus according to claim 41, wherein the image capture apparatus is capable of determining whether to stop performing the recording process or not using the first exposure value and the second exposure value.
50. (new) An image capture apparatus according to claim 45, wherein the image capture apparatus is capable of determining whether to stop performing the recording process or not using the first white balance value and the second white balance value.

Serial No. 09/466,046

Docket No. 1232-4605

51. (new) A method of controlling an image capture apparatus which includes an image capture unit adapted to capture an image using an image pickup element; and a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image in a recording unit, the method including:  
a step of controlling the recording process using a first exposure value indicating an exposure of an image captured before the switch is operated and a second exposure value indicating an exposure of an image captured after the switch is operated.
52. (new) A method according to claim 51, further comprising a step of determining whether to issue a warning to a user or not using the first exposure value and the second exposure value.
53. (new) A method according to claim 51, further comprising a step of controlling the recording process using a first white balance value indicating a white balance of an image captured before the switch is operated and a second white balance value indicating a white balance of an image captured after the switch is operated.
54. (new) A method according to claim 53, further comprising a step of determining whether to issue a warning to a user or not using the first white balance value and the second white balance value.
55. (new) A method according to claim 51, further comprising a step of determining whether to stop performing the recording process or not using the first exposure value and the second exposure value.

Serial No. 09/466,046

Docket No. 1232-4605

56. (new) A method of controlling an image capture apparatus which includes an image capture unit adapted to capture an image using an image pickup element; and a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image in a recording unit, the method including:
- a Step of controlling the recording process using a first white balance value indicating a white balance of an image captured before the switch is operated and a second white balance value indicating a white balance of an image captured after the switch is operated.
57. (new) A method according to claim 56, further comprising a step of determining whether to issue a warning to a user or not using the first white balance value and the second white balance value.
58. (new) A method according to claim 56, further comprising a step of controlling the recording process using a first exposure value indicating an exposure of an image captured before the switch is operated and a second exposure value indicating an exposure of an image captured after the switch is operated.
59. (new) A method according to claim 58, further comprising a step of determining whether to issue a warning to a user or not using the first exposure value and the second exposure value.
60. (new) A method according to claim 56, further comprising a step of determining whether to stop performing the recording process or not using the first white balance value and the second white balance value.

Serial No. 09/466,046

Docket No. 1232-4605

61. (new) An image capture apparatus comprising:

an image capture unit adapted to capture an image using an image pickup element;

a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image in a recording unit;

wherein the image capture apparatus is capable of determining whether to issue a warning to a user or not using a first exposure value indicating an exposure of an image captured before the switch is operated and a second exposure value indicating an exposure of an image captured after the switch is operated.

62. (new) An image capture apparatus according to claim 61, wherein the image capture apparatus is capable of determining whether to stop performing the recording process or not using the first exposure value and the second exposure value.

63. (new) An image capture apparatus comprising:

an image capture unit adapted to capture an image using an image pickup element; and

a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image in a recording unit;

wherein the image capture apparatus is capable of determining whether to issue a warning to a user or not using a first white balance value indicating a white balance of an image captured before the switch is operated and a second

Serial No. 09/466,046

Docket No. 1232-4605

white balance value indicating a white balance of an image captured after the switch is operated.

64. (new) An image capture apparatus according to claim 63, wherein the image capture apparatus is capable of determining whether to stop performing the recording process or not using the first white balance value and the second white balance value.
65. (new) A method of controlling an image capture apparatus which includes an image capture unit adapted to capture an image using an image pickup element; and a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image in a recording unit, the method comprising:  
a step of determining whether to issue a warning to a user or not using a first exposure value indicating an exposure of an image captured before the switch is operated and a second exposure value indicating an exposure of an image captured after the switch is operated.
66. (new) A method according to claim 65, further comprising a step of determining whether to stop performing the recording process or not using the first exposure value and the second exposure value.
67. (new) A method of controlling an image capture apparatus which includes an image capture unit adapted to capture an image using an image pickup element; and a switch adapted to instruct the image capture apparatus to start a recording process of recording a captured image in a recording unit, the method comprising:

Serial No. 09/466,046

Docket No. 1232-4605

a step of determining whether to issue a warning to a user or not using a first white balance value indicating a white balance of an image captured before the switch is operated and a second white balance value indicating a white balance of an image captured after the switch is operated.

68. (new) A method according to claim 67, further comprising a step of determining whether to stop performing the recording process or not using the first white balance value and the second white balance value.